

#4

DOCKET NO.: SWAB-0003

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

David HARBEC and Jean-Luc MEUNIER Confirmation No.: 2219

Application No.: 10/535,050

Group Art Unit: not yet assigned

Intl. Application No.: PCT/CA03/01779

Intl. Filing Date: 17 November 2003

For: METHOD FOR PRODUCING CARBON NANOTUBES USING A DC NON-  
TRANSFERRED THERMAL PLASMA TORCH

EXPRESS MAIL LABEL NO: EV 482610470 US

DATE OF DEPOSIT: January 30, 2006

EV482610470US

## MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND REQUEST  
FOR EXTENSION OF TIME

In response to the "Notification of Missing Requirements" dated November 28, 2005,  
which sets forth a two-month period for reply ending on January 28, 2006, (said period  
being eligible for extensions under 37 CFR § 1.136(a)), enclosed herewith for filing is:

## Declarations and Powers of Attorney

- ☒ A Combined Declaration and Power of Attorney, executed by the inventor(s).  
An unexecuted copy of this document was attached to the above-identified  
specification.
- ☐ A Combined Declaration and Power of Attorney executed by the inventor(s)  
and identifying fewer/more inventors than those identified in the unexecuted  
declaration filed with the above-identified application specification. Such  
deletion/addition of inventors is specifically provided for in 37 CFR § 1.48.

- ☐ A copy of the original Declaration and Power of Attorney, executed by the inventor(s), as filed in parent application no.
- ☐ A copy of the Power of Attorney with Revocation filed on
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b).
- ☐ An Associate Power of Attorney executed by who is/was listed on the original Declaration/Power of Attorney.

**Drawings**

- ☐ sheets of replacement drawings comprising Figures in compliance with 37 CFR § 1.84.

**Sequence Listing** (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of Sequence Listing in specification
- ☐ Statement to Support Filing of Sequence Listing

**Claim for Small Entity Status**

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s), by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
  - ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☒ a Nonprofit Organization

**Miscellaneous Items**

- ☒ A copy of the Notification of Missing Requirements.
- ☐ Request for Corrected Filing Receipt.
- ☐ Request for Refund Due to Small Entity Status.
- ☐ Request for Refund Due to Fee Calculation Error.
- ☐ A substitute specification in compliance with 37 CFR § 1.52.

☐ Other:
**Fee Calculation and Extension of Time**

☐ Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notification of Missing Requirements due to and through , comprising an extension of the shortened period of months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$65.00	\$130	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$
TOTAL FEE DUE		\$65.00		\$

☒ A check in amount of **\$65.00** is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

DOCKET NO.: SWAB-0003

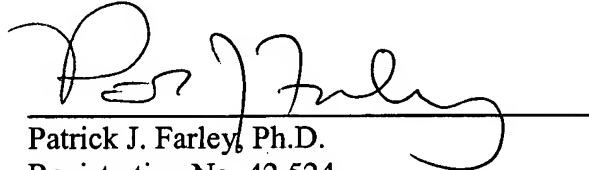
- 4 -

PATENT

☒ The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.

This sheet is attached in duplicate.

Date: January 30, 2006

  
Patrick J. Farley, Ph.D.  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/535,050	FIRST NAMED APPLICANT David Harbec	ATTY. DOCKET NO. SWAB-0003
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INTERNATIONAL APPLICATION NO. PCT/CA03/01779	
I.A. FILING DATE 11/17/2003	PRIORITY DATE 11/15/2002

23377  
 WOODCOCK WASHBURN LLP  
 ONE LIBERTY PLACE, 46TH FLOOR  
 1650 MARKET STREET  
 PHILADELPHIA, PA 19103

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DEC 01 2005

CONFIRMATION NO. 2219

371 FORMALITIES LETTER



\*OC000000017526649\*

Date Mailed: 11/28/2005

Woodcock Washburn

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/13/2005
- Copy of the International Search Report filed on 05/13/2005
- Oath or Declaration filed on 05/13/2005
- Small Entity Statement filed on 05/13/2005
- Request for Immediate Examination filed on 05/13/2005
- U.S. Basic National Fees filed on 05/13/2005
- Priority Documents filed on 05/13/2005
- Power of Attorney filed on 05/13/2005
- Specification filed on 05/13/2005
- Claims filed on 05/13/2005
- Abstracts filed on 05/13/2005
- Drawings filed on 05/13/2005

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 WWKMN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,050	PCT/CA03/01779	SWAB-0003